IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 139 OF 2006

Maharashtra Rajya Suraksha Rakshak & General Kamgar Union.] .. Petitioners

Versus

1. Security Guards Board for Gr. Bombay & 2 ors.] .. Respondents

Mr. H.S.S. Murthy with Ms. Vaishali Bhilare for the petitioners.

Mr. B.K. Ashok for the respondent No.2.

Ms. Sonia Sunil for the respondent No.3.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.

DATED: 06TH MARCH, 2006

P.C. :

. Rule. Heard forthwith.

2. Appearance put up on behalf of respondents No.1, 2 and 3.

3. It is a case of the petitioners that security guards listed at 1 to 8 are being engaged by respondent No.2 without respondent No.2 being registered. Respondent No.3 is an agency also which is not

registered. The stand of respondent No.3 is that the workers engaged by them are not doing only work of security, but also doing other work. Petitioners point out to us the documentary evidence on record which shows the Identity Card issued to the members of the petitioners which show them as either Security Guard or F.M. Officer. Further document shows that they were on the rolls of Top Security Limited. During the course of the proceedings, except for respondents No.3 and 8 all the others, according to the petitioners, were transferred. There are some disputes which we need not go into. Considering the controversy, the Petition is disposed of by issuing the following directions:

(i) It will be open to the security guards whose names are listed at Exhibit-A to apply to respondent No.1 for being registered within 15 days from today and if they so apply then respondent No.1 to dispose of their application within two weeks thereafter.

(ii) Considering the stand of respondent No.2, respondent No.1 to inspect the premises of respondent No.2 and in the event of respondent No.2 is engaging security guards without being registered then take appropriate action

according to law. The order of status quo which was granted in respect of guards already serving to continue for a further period of 3 weeks.

(iii) In the event the respondent No.1 registers the security guards and comes to the conclusion that respondent No.2 is engaged in security guards then the respondent No.1, as far as possible, to allocate those guards to respondent No.2.

4. Rule made absolute accordingly. No order as to costs.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOP V. MOHTA, J.]